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CONSIDERATIONS

On the Expediency of Making,

AND THE

Manner of Conducting

THE LATE

REGULATIONS

AT

CAMBRIDGE.

Philone vivo patrocinium Academiæ non deerit. — Sed ut contra Academicum disseramus, id quidam faciendum omnino non putabant; nec verò esse ullam rationem disputare cum iis, qui nihil probarent. CIC.

Rebus cunctis inest quidam velut Orbis, ut quemadmodum temporum vices, ita morum vertantur. TAC.

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M.DCC.LI.

CONSIDERATIONS

On the late

REGULATIONS

AT

CAMBRIDGE.

AS all who had any Concern in drawing up, or promoting the late Regulations at *Cambridge*, have been ſeveral Ways called before the Tribunal of the Publick, to give an Account of their Conduct; as this Call has been repeated by Accuſations in the News-Papers, and Challenges from the Preſs; as they have been provoked to it by the groſſeſt Abuſe of * one Writer, and invited by the affected Moderation and Neutrality of † another: It is become, in ſome Degree, neceſſary for ſuch as took any Part in this Affair, to ſay ſomething in Vindication of

* Letter to Ld. Egm—t and Dr Keene.
‡ Academic.

their Proceedings; and endeavour to ſatisfy, as far as they are able, the publick Expectation, which ſo much Pains has been taken to raiſe.

If the Reader ſhould be curious to know who the Writer of theſe few Sheets is, that he may the better judge, how he is likely to execute the Taſk he has undertaken; how he is enabled to give him a full Account of theſe Things, or qualified to give him a true one; though I cannot help telling him, that he will more probably ſucceed in all his Enquiries after the Truth, by attending rather to what is ſaid on any Subject, than to the Perſon who ſays it: Yet I will gratify him ſo far as to acquaint him, that I am one who had no Share in projecting, not much in promoting, theſe Laws; that I received no early Impreſſions in their Favour, by ſtriking out the Thought myſelf, or by furniſhing the Materials of which they are made up, or by being of that private Council by which they were conducted; but that the Duty I owe, and the real Regard I have for the Univerſity, would not ſuffer me to be an indifferent and idle

Spectator

Spectator of theſe Tranſactions; and, I flatter myſelf, will not ſuffer me to be ſo in any Tranſaction, where its Credit and Welfare are concerned.

I WAS in a Situation that might ſeem to enable me to judge and to act impartially; I converſed with Freedom, and I lived in Friendſhip with many Gentlemen, who differed greatly in their Sentiments on this Occaſion; I had frequent Debates on this Subject with both Parties; but I had no Dependance upon, or particular Connections of Intereſt with either; with thoſe who in the Progreſs of this Affair have given, or thoſe who have taken Offence. I pretend not to be free from Prejudices; I believe no Man is free from them: But I am not ſenſible of being under the Influence of any, that were likely to blind or miſlead me in this Matter: I am ſure of my not being influenced by any corrupt ones, that would make me ſacrifice the Right I have, which I value as I ought, and which I will preſerve, that of judging for myſelf, and of acting according to that Judgment.

But as I diſlike the Artifice of ſlipping my own Sentiments upon the Reader under an aſſumed Character; or of giving all the Help and Advantage I can to one Party, in the Diſguiſe of a neutral one: I do freely acknowledge, that I acted uniformly in Support of the late Regulations; that I gave my Voice to have them paſſed into Laws, and, now they are paſſed, will uſe my Endeavours to have them carried into Execution. For I thought, and ſtill think, that many of them would probably do much Good, that none of them were likely to do any Harm; that their manifeſt Tendency is to promote, and, I truſt, if we are not wanting to ourſelves, they will, in Fact, promote the good Order and Government of this Place, with which its Reputation and Well-being are very nearly connected. And though I was neither privy to the Steps thought proper to be taken, nor entirely approved of all that were actually taken, in the Management and Conduct of them; yet I could not bring myſelf to think, that any Exceptions of this Nature would be ſufficient to juſtify my Oppoſition to the Regulations themſelves.

But I confeſs, that the Publick does not ſeem to me to be much intereſted in this Diſpute: Entertainment it can hardly receive, if the Narrative be confined, as it ſhould be, to the plain and inartificial Recital of a few Facts; if Recourſe be not had to the Heightenings of Fancy and the Freedom of Conjecture; if the Reader's Curioſity be not gratified by initiating him into the Myſteries of ſecret Hiſtory, or his Appetite quickened by the Seaſoning of domeſtic Scandal.

Nor do I ſee, how an Appeal to the publick Judgment in this Affair can be of any great Uſe; for though I am very ſenſible of the Expediency and Uſefulneſs of ſuch an Appeal, on all Occaſions that require it, that is, on all in which the Publick can be ſuppoſed to judge; yet I doubt whether this be a Caſe of that Kind. It relates to the Diſcipline and Government of a particular Body of People, already tied down to the Obſervance of their own local Statutes, which muſt be the general Rule and Meaſure of their Conduct; and whether theſe Statutes have Defects that want to be ſupplied, (for

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no Legiſlator can at once provide for ſuch a Variety of Caſes, as a Courſe of Time and Change of Circumſtances will of Neceſſity introduce;) or whether any new Irregularities may have taken Place, againſt which there was not any, or at leaſt not any ſufficient Proviſion; whether Laws of ſo ancient a Date might not want to be more clearly explaned, or more ſtrongly enforced; whether ſome, that through a too general Neglect might have grown almoſt obſolete, might not receive new Vigour from a freſh Publication; are Points which muſt be moſt known to the Perſons with whom the Power of making new Laws, or of ſtrengthening or explaning old ones, is already entruſted: The Members of that Body ſeem the beſt, it were not perhaps too much to ſay, the only proper Judges, whether there are ſuch Defects, and in what Manner they may be beſt made up; whether there are theſe Irregularities, and by what Means they may moſt effectually be redreſſed.

Had we been engaged in a Deſign of altering, in any eſſential Points, the Conſtitution of this Place, or of changing the general Plan of Education, or of counteracting,

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in any Degree, the original Purpoſe of our Foundation; had we been breaking thro' thoſe Boundaries which the Wiſdom of our Forefathers had eſtabliſhed for promoting Diſcipline; or opening a Door to any Sort of Licentiouſneſs, by the Relaxation of the Laws they had given us for our Direction and Government; then indeed the Publick would have a Right to call upon us for the Reaſons of ſuch a Proceeding, and have Room to cenſure us, if thoſe Reaſons did not, as in ſuch a Caſe they could not, give them due Satisfaction. But this is not ſaid: it cannot be pretended. The general State or Conſtitution of the Univerſity is no Ways altered, the ſame Laws are ſtill in Force, ſome of them have received an additional Force, and the Power of executing them continues to be lodged in the ſame Hands; every Maſter, Tutor, and Dean of a College, are left to exerciſe their Authority, and to purſue the Buſineſs of Education, in the ſame Manner they did before, for the Government and Inſtruction of the Youth entruſted to their Care. If the Publick then has a Concern, and it undoubtedly has a very great one, that the good Order of this Place be maintained, and the uſe-

full

full Purpoſes of its Inſtitution anſwered; there is not the leaſt Colour or Pretence for ſaying, that by theſe Regulations it is rendered leſs capable, or leſs likely, to anſwer them. Every one has it now in his Power to read and to conſider them; and I ſubmit it to the Judgment of every Father in the Kingdom, whether he thinks the Learning of his Son in any Danger of being hindered, or his Morals ſpoiled, or his Loyalty tainted, by his Obſervance of them. If indeed the Son be but reſtrained from every Kind of Idleneſs and Extravagance, and directed to purſue the chief Ends of his coming here, his Improvement in Religion and Learning; It is of little Concern to the Father to know, whether this was done by Laws made in Queen *Elizabeth's* Reign, or in 1750, or in both.

It is a little diverting then to ſee the extraordinary Paſſion, which * a late Writer diſcovers for a publick Debate on this Subject; who ſets out with being "*much pleaſed with the Hopes of ſeeing ſo important a Buſineſs publickly canvaſs'd*;" who kindles

* Academic.

upon

upon a farther Survey and Contemplation of his Theme, " *the more he thinks of them,* " *the greater the Uſes of ſuch a Controverſy* " *appear* :" who enters upon the Taſk with that quick and ſenſible Pleaſure, which every one muſt feel, who thinks himſelf engaged in a *Deſign that ſeems, upon every Suppoſition, to be calculated for the general Intereſt, both of the Nation and the Univerſity*; and who confeſſes, that *his Enthuſiaſm is at length raiſed to ſuch a Pitch, as tempted him to lead the Way in this Diſpute.* This will very well account for that fierce and acrimonious Spirit, which, tho' ſuppreſs'd in ſome, ſo plainly breaks out in other parts of the Compoſition, and would much better ſuit the poſitive and aſſuming Temper of the Dogmatiſt, than that Coolneſs and Suſpenſe of Judgment which belong to the Academic. He ſhews indeed, in the laſt Page, ſome little Squeamiſhneſs on this Head; *ſome Concern at expoſing* to every one's View the local Quarrels and *inteſtine Feuds of the Univerſity:* but this Concern is ſoon loſt in the vaſt and more weighty Motive of its public Utility; " *he is convinc'd that both the civil and religious Intereſts of his Country require it.*"

But I proceed to the Conſideration of that preliminary Point, which muſt, in ſome Degree, be ſettled before we can come to any other Concluſion. For whether the State of the Univerſity was ſuch, that it might be proper or neceſſary to make any new Regulations at all, muſt be previouſly determined, before we need give ourſelves any Trouble about examining the Uſefulneſs and Propriety of ſuch Regulations, as were propos'd to be made.

And here I am well aware, how nice a Matter this is to be treated of; how difficult it is to ſtate it to the general Satisfaction, how impoſſible to the Satisfaction of all Parties. I know that many think differently on this Point, who have been careful too in forming their Judgments, and are very ſincere in ſupporting them. This Diverſity of Sentiments may perhaps be occaſioned by the different Points of View, in which the State of Things among us is taken by different Perſons. 'Tis certain, that this, in a Courſe of twenty or thirty Years paſt, has been much changed; and if, in ſome Reſpects, it be ſaid to be alter'd for the

the worſe, it may be ſaid, with great Truth, in others to have been alter'd for the better: So that the Improvements we have made are to be compar'd with the Defects we have fallen into; it muſt be conſider'd what Proportion theſe bear to each other, and the Judgment is to be formed from that Compariſon; nor can it be formed equitably without attending *to*, and taking *in* the whole.

But as this is not eaſy to be done at any Time, it will become much more difficult to make a due Eſtimate of this Matter, when it is grown the Subject of Contention, and the contending Parties have ſuffer'd their Paſſions to be heated and inflamed in the Diſpute: Each Side will then, 'tis likely, make ſuch a Repreſentation as is moſt favourable to the Cauſe they are diſpoſed to eſpouſe: The Accounts they give will then, probably, be very different from each other, and both ſomewhat different from the Truth; they will be apt, as may beſt ſuit their particular Views, to give too ſtrong a Colouring to our Advantages, and throw our Imperfections into Shade; or to draw, as this Writer expreſſes it, *Extra-*

*vagance and Immorality in triumphant Attitudes**.

I MUST enter upon this Subject with acknowledging, as I do with equal Truth and Pleaſure, that there never was, within my Remembrance, nor I believe, within any one's Memory, a ſet of more able and induſtrious Tutors than we have at preſent; more capable of diſcharging that uſeful Office, or more diligent and careful in the Diſcharge of it. This Place has accordingly produced many of late, whoſe high Birth and ample Fortunes have been the leaſt Ornaments they were poſſeſs'd of; who have been as exemplary for the Regularity of their Behaviour, as eminent for the Advances they have made in moſt Parts of Science; and who, by filling now ſeveral eminent Stations with great Credit and Ability, do much Honour to us, and ſignal Service to their Country. But we muſt not ſo far impoſe upon ourſelves as to think, or endeavour ſo far to impoſe upon others, as to ſay, that *all*, or that the *greateſt Part* of the Youth, we have educated, are ſuch: No conſiderate Perſon will expect that they

* Acad. p. 10.

ſhould

ſhould be ſuch; but to impute this altogether to a Defect in our Education, or to the Want of due Execution in our Laws, is not to deal equitably with us. No one can imgine, unleſs he will ſuppoſe we are to alter the Nature of Things, but that Irregularities will often happen, without any culpable Remiſſneſs in the Governors, in a Place of this Kind, where ſo many young Perſons of every Temper and Complexion are juſt ſet free from the cloſer Reſtraint of Schools; when moſt of them have been indulged in a larger Share of domeſtic Freedom than has been uſual heretofore; aud when many of them are of large and independant Fortunes. We complain not, we have not Reaſon to complain, of the general Prevalence of Vice and Ignorance; but yet if it be found in fact, that ſome particular Species of Vice prevail and get Strength among us, all proper Endeavours are ſurely to be uſed to ſuppreſs ſuch, and to prevent, as far as we can, every Degree of voluntary Ignorance, by cutting off all Temptations to Idleneſs. The whole Weight of Authority is to be employ'd, either in invigorating old Laws, (for their Force will gradually and imperceptibly decay;) or in enacting

enacting new ones, as ſhall be found moſt expedient; in taking all prudent Care to hinder the Tranſgreſſion of any; and to ſee, that if they are tranſgreſſed, they be not ſo, even by the moſt independent, with Impunity.

I LIKEWISE own, with great Readineſs, that many Seaſons of Entertainment and Feſtivity, which had the Sanction of long Uſe and Preſcription, have of late Years been prudently laid aſide, as anſwering no uſeful Purpoſe in a Place ſet apart for the liberal Purſuit of Learning, and as giving Opportunities for Riot and Exceſs, improper and dangerous every where, but moſt unbecoming and pernicious here. I think there prevails in general, and through all Degrees among us, a great Diſpoſition to Sobriety and Temperance: I pretend not to ſay, there are no Inſtances to the contrary; I ſhould not be believed, or deſerve to be believed, if I did pretend it; but I ſay, that ſuch Inſtances are but very few and inconſiderable in Compariſon of our whole Number, and much fewer than I myſelf remember them to have been.

I THINK alſo, that there is kept up in general a Spirit of Enquiry, and an Ambition to excell ; that our Youth have before them many Examples to encourage and animate, as well as proper Means of Inſtruction to improve them in the Purſuit of Knowledge : It is certain, that the Improvements they do make in Learning, eſpecially in mathematical and philoſophical Learning, are often extraordinary for Perſons of their Age, and are uſually as great, as may reaſonably be expected to be made, within the Compaſs of Time they commonly reſide among us. In theſe Reſpects we have not loſt, we have I think certainly got Ground of late Years : and though I am not ſenſible, that the Study of claſſical Learning has declined among us, and ſhould be much concerned if it had ; yet I am of Opinion, that it would be more attended to, and carried to a much greater Height, than it uſually is, if ſome public Honours were affixed to Improvements of that Kind, as has already been done to thoſe in Philoſophy.

But there are ſome Vices, which are the particular Turn and Characteriſtic of almoſt every Age; and it can hardly eſcape the moſt ſuperficial Obſerver, that an expenſive Way of Living, an Extravagance in Dreſs, a ſtrong Paſſion for Pleaſure and Amuſement, and a Diſregard to Authority, are the diſtinguiſhing Vices of this Age. This preſent State of our Country makes it not improbable, but that ſomething of this Sort may be amiſs, and want Amendment among ourſelves. Theſe Vices which are the common Subjects of Complaint in the World, may 'tis likely not be excluded, though great Care, I am ſatisfy'd, has been taken to exclude them from hence. It is natural I think that they would, and it is Fact I think that they have, whatever Pains may have been uſed to prevent it, brought ſomething of the common Taint and Contagion among us.

The Murmurs among Parents and Guardians on ſome of theſe Heads, which are I am told loud and open in moſt Parts of the Kingdom, can hardly be ſuppoſed to be entirely without Foundation; and I am afraid they

they will not be removed or abated by telling them, that *they are deſtitute of all Taſte*, if they will not admit of ſuch additional Expences; which are now become neceſſary *from the general Improvements* that are made *in Dreſs and Urbanity*.* — The frequent Alarms and Complaints we have had of late, of Irregularities committed in the Town, and the Neighbourhood of the Town, are not all, I am affraid, to be imputed to Miſtake or to Malice: And to bring the Matter home, I appeal to every ſerious Man in the Place, whether he thinks its Diſcipline as well ſupported, and the Youth as conformable now to its Laws and Government, as might be hoped, or as they uſed to be within the Compaſs of his own Memory. Every Man, who has lived here any Time, has ſeen it to be otherwiſe, every Friend to the Univerſity has lamented to ſee it.

The Severities that were exerciſed, and thought quite neceſſary to be exerciſed, in Forty-nine, tend greatly to confirm this Matter. They were not inflicted for ſlight

* Acad. p. 23.

and trivial Offences, for "*A Window or two that happened to be broken*;" but for very heinous Violations of our Laws and Diſcipline. And that upwards of twenty Perſons, many of good Families and Fortune, ſhould in the Courſe of a few Months, be ſentenced to an entire or temporary Baniſhment from the Univerſity; ſome in a public and judicial Manner, others by an Act of their ſeveral Colleges; that ſuch a Proceeding ſhould be judged very proper and ſeaſonable, and meet with a general Approbation, as this certainly did; cannot I think well be ſuppoſed, without ſhewing at the ſame Time, that the State of Things was not altogether as it ſhould be; but that it wanted Amendment, and probably would be amended by the vigorous Interpoſition of Authority.

When theſe Tranſactions were juſt paſt and freſh in every one's Memory, on which there might be put, and on which our Enemies would not fail to put a Conſtruction not much to our Advantage; when they had made a deep Impreſſion on the Minds of all, who had a due Regard for the Credit and Welfare of the Univerſity: What

was

was more obvious or natural, than that he, who had lately taken us under his Protection, and expreſſed the moſt affectionate Concern for our Honour and true Intereſts, ſhould be ready to offer us his Aſſiſtance on ſo weighty and critical an Occaſion ?

What Opportunity could be more properly taken by our Chancellor, who was zealouſly diſpoſed to exert his utmoſt Endeavours for our Service in whatever might nearly concern our Dignity or Welfare, to lend us his Help and Advice in a Matter that of all others moſt nearly concerns us, the Support of our Authority, and the Eſtabliſhment of our Diſcipline ?

THE Orator's congratulatory Letter to his Grace on his Election to the Chancellorſhip, expreſſed I doubt not his own impartial Senſe, and what he underſtood to be the general Senſe of others, as to the State of Things here : But I have great Reaſon to believe that no Part of the Sentiments it contained, was dictated by the Perſon, to whom they have *been wholly imputed.**

* Acad. p. 16.

THIS, and many other Opportunities, which our Chancellor's public Situation muſt give him, of learning the Opinions of others on that Subject, might probably induce him to teſtify his Willingneſs to cooperate with the Univerſity, in either enforcing old Laws, or enacting new ones, for their better and more orderly Government. And this is certainly a Point of the greateſt Importance, as by this only we can be enabled to execute that important Truſt repoſed in us by the Public, and promote, in the moſt effectual Manner, the great and beneficial Purpoſes of our Inſtitution.

BUT great Pains have been taken, and ſome little Art has been uſed, to make it believed, that this new Scheme of Reformation was wholly owing to the Intrigues and Management of the Heads of Colleges, who *repreſented the Diſcipline of the Univerſity in the moſt melancholic and dejected Condition* *; not becauſe this was true, but becauſe it might be beſt turn'd to their own Advantage; who, in conſequence of this Repreſentation, requeſted the Interpoſition

* Acad. p. 10.

of

of their Chancellor; not on Account of its being wanted by us, but as it might, in its Effects, be uſeful to themſelves. The harſh Language uſed by one of the Orators, whom a late Writer has introduced into his Piece, and to whom he is obſerved to have given a particular Force and Energy of Expreſſion, is, "*That the whole was a deli-*
"*berate Project of calumniating the Univer-*
"*ſity, purely for the Reputation and Reward*
"*of apparently reforming it* *."

Now this ſevere Imputation ſeems to me to reſt entirely on a Miſtake and Miſapprehenſion of the true Caſe; for if the firſt Riſe of the Regulations was not owing to any Suggeſtions from them, they can hardly be charged with making theſe Suggeſtions to forward and promote any ſelfiſh Deſigns. However, as this is a heavy Charge, it will, in Reaſon and Juſtice, require a due Degree of Evidence to ſupport it. They are certainly bad Men of whom this can be proved, and I cannot think they are good Men who will affirm this of any without Proof. To caſt odious Imputations upon others, of entertaining bad Deſigns, or of

* Acad. p. 19.

acting

acting upon corrupt Motives, is in any one's Power; and ought, doubtleſs, on that Account, no farther to be regarded, than as proper Arguments are produced to make good the Accuſation. There may be Reaſons ſo evident as to juſtify our making this Charge againſt others, and Occaſions ſo important, as to call upon us to do it; but then the Reaſons muſt be better, and the Occaſions greater, than any that have appeared to me in the preſent Diſpute.

He ought, I think, to be very clear in his Facts, who will venture to make ſo diſadvantageous a Repreſentation of any Man; and more cautious ſtill, who will do it of any Number of Men, who are in a uſeful and important Station, and who can, only by the Fairneſs of their Character, either diſcharge the Duties or ſupport the Authority of that Station; as they are ſuppos'd by their Situation to be Guides to others by their Inſtructions and Example. Will any equitable Man then, without proper and ſufficient Evidence, take upon himſelf to declare ſuch to be corrupt in their Principles and diſhoneſt in their Conduct; for ſo they certainly muſt be, who will deliberately

rately conſent to dreſs up a Falſhood, derogatory of the Honour and Reputation of a Place, which it ought to be their firſt and principal Care to maintain; and who, in Conſequence of that, make uſe of all the Art and Influence they can to carry a wrong or uſeleſs Deſign into Execution; Plauſible indeed in its Aim, and Pretence of Benefit to others; but calculated merely to do Service to themſelves.

MANY and great are the Inconveniences that plainly follow from ſuch a Practice. The bringing thoſe into Contempt who are ſet to rule over them, manifeſtly deſtroys that Subordination that is neceſſary for the Well-being of all Societies, and tends to the Diſſolution of Society itſelf. What Laws or Rules of Diſcipline can be invented of ſufficient Force to govern thoſe, who are taught with much Care and Induſtry to deſpiſe the Perſons, under whoſe Government they are placed? And how can they fail of deſpiſing them, if they can be brought to believe the very degrading and defamatory Accounts that are given of them? That they have neither Abilities to rule with Prudence, nor Principles to rule with Integrity. I am affraid

afraid he but ill conſults the Obſervance of either old or new Laws, who is endeavouring to make that Authority deſpicable which is to execute them both.

And what good Purpoſe can this Conduct be ſuppos'd to ſerve? The Affair, which brought on this Debate, is now concluded; the Regulations have received the Sanction of the Senate, and now they are become Laws; tho' People might differ about them before, all, I apprehend, will now agree to carry them into Execution. Are any Heats, which might be raiſed in the Courſe of this Affair, likely to be abated by this Means? Nothing can more manifeſtly tend to keep them up, as nothing can be more to our Diſadvantage and Diſcredit than the keeping them up. Will it ſerve to juſtify thoſe who oppos'd them? I ſee not how they can be fully juſtified in oppoſing the Regulations themſelves, even if ſome wrong Motives ſhould appear in thoſe who were concern'd in promoting them: But they cannot, ſurely, be in the leaſt juſtify'd, if nothing of that Kind does appear. And I confeſs, I do not ſee the leaſt Evidence of this, nor can I believe

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it without any Evidence. Inſtead of Proofs there are dark Surmiſes, which may always be thrown out: Inſtead of Arguments there are bold and confident Affirmations, which may always be made.

But they are not of that Nature, it may be ſaid, (as the Secrets of the Heart are not to be known) that they can be made out by direct and poſitive Proofs; but they may be probable, and People have a Right to judge of that Probability. Let us examine the Matter on this Footing. Now this Deſign of repreſenting the State of Things here as worſe than it really is, does not ſeem at firſt Sight a very promiſing Scheme to favour any Views of Advancement, which the Authors of it are ſuppos'd to have and to intend by it. Here are a Number of Perſons, all of them Men of Ambition, all Candidates for Promotion, who are endeavouring to raiſe a Fund of Merit to themſelves, by a Project, that rather tends to defeat their own Ends. They are forming Pretenſions of Deſert and of Reward, for this ſtrange Reaſon, that the Diſcipline and good Order of this Place have lately declined and grown worſe; which, tho' it might, per-

haps, happen, without any faulty Neglect on their Part, yet no Share of Merit can ſurely be pleaded from thence; and it would be underſtood by many to caſt ſome oblique Reflection on the Care and Diligence of their own Government.

THERE is a Neceſſity then for altering this Battery, which can never be made to bear upon the Party, where it was intended to do Execution; and it is accordingly alter'd. For though Suggeſtions are often thrown out againſt the whole Number, as leagued together in this wicked Confederacy, as *ſtretching every Nerve*, to uſe the eaſy and elegant Phraſe of the Academic, *to inhance theſe Services and extend them to ſuch ample Meaſures* * ; yet, as a Difficulty of fixing the Charge here ſeem'd to ariſe from making a Number of intereſted Men agree to act againſt their own Intereſt, the Accuſation is afterwards confin'd to a ſmall Part; that " *They, who took the Lead in this* " *Affair, were but lately come into Autho-* " *rity.*

* Acad. p. 18.

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THE Time, the Place, the Manner of giving the firſt Hint of a Reformation; by whom the Propoſal was eagerly embrac'd; to whoſe Care and Management the Plan was entruſted; and with what Views it was undertaken and purſued; are, * by one Writer on this Subject, very poſitively and circumſtantially ſet forth.—As this contain'd ſomething of a Fact, a more convincing Kind of Argument than Conjecture, I have been particular in my Enquiries about the Truth of it; and I have Reaſon to believe, on the Credit of ſome who were preſent at this Meeting, that this ſuppoſed Tranſaction has no better Foundation than moſt of the other Suppoſitions; that very litttle was ſaid then about the Regulations, but that the greateſt Part of them had been actually drawn up ſeveral Months, when the Deſign of drawing any up is ſuppos'd to have been firſt concerted.

———*non ſat commode*
Diviſa ſunt temporibus tibi, Dave, hæc.

* Letter to Dr. *Keene*, p. 5, 6, 7.

But when Facts are thus confidently miſrepreſented, what muſt be expected from the Licence of Suſpicion and the Wantonneſs of Conjecture!

But let us conſider, how the Suppoſition of one or *two Leaders*, and of the reſt being *led* in this Affair, is to be made out with any Degree of Probability. It is conſtantly affirmed, that theſe Gentlemen are all of them attentive to the great Buſineſs of their own Promotion; and I am told, that they look with a watchful Eye upon each other's Conduct. Is it likely then, that the greateſt Part of them ſhould thus conſent to become Stepping-ſtones to two of their younger Brethren, and fall ſo readily into a Scheme, that might tend to help forward *their* Advancement, but would plainly operate to their own Diſadvantage? Could they not ſee the apparent Tendency of ſuch a Project? Would they join in it, if they did ſee it?—Is it in any View to be imagin'd, that they would all concur in a Deſign, contrary to their Judgment, to their Intereſt, to the Truth, of repreſenting the State of Things here to want ſome Reformation, that one or two of their aſpiring Fraternity might

might gain the Credit, and reap the Reward, of effecting that Reformation.

A Charge therefore of a very heinous and injurious Nature has been made againſt a Body of Men, as far as I can find, in an arbitrary and unjuſtifiable Manner, without any Proof, and againſt all Probability.—— And were the Gentlemen, who oppos'd theſe Regulations, to be charg'd in their Turn with ſome bad and unwarrantable Deſign in oppoſing them; were ſome ſuch Deſign ſpecified, and, without any Evidence or any Ceremony, aſcrib'd to them: ——That many of them acted, ſuppoſe, from the Violence of Party-ſpirit, and out of perſonal Pique to him, by whom theſe Regulations were recommended: that this Suppoſition is, in ſome Meaſure, countenanced and confirmed, as ſome of them voted againſt that common Piece of Civility, uſual in all Intercourſes of this Sort, the returning an Anſwer to a very kind and obliging Letter; Were it ſaid, that they were unwilling to allow the Heads of Colleges the Credit of making any well-meant Attempt to improve the State of the Univerſity; and that, amidſt the Out-

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cries they were raiſing againſt them, of bad Deſigns to extend their Power beyond what they had a conſtitutional Right to exerciſe, they were manifeſtly endeavouring to extend their own: —— Nay, were they at once inliſted in the Pretender's Service; a Suggeſtion I never heard made by any but themſelves; and made by them for a very obvious Reaſon: —In this Caſe they would, doubtleſs, complain, and think they had great Reaſon to complain, of ſuch hard and ill-founded Suſpicions; and yet theſe Suſpicions, I am ſure, are not harder, and, I think, they are not worſe founded, than ſuch as they have taken the Liberty of faſtening upon others. The Authors of the Regulations, as well as the Promoters of them, might act upon very worthy and laudable Motives: The apparent Tendency of the Regulations themſelves is to do good, there is no Probability of their doing any Miſchief. But I ſee not what Good theſe uncharitable Imputations upon their Character, and the Motives of their Conduct, can poſſibly do: I ſee they are capable of doing, and, I think, they are likely to do, very great Miſchief.

But this perſonal Abuſe has lately been pour'd forth in ſo intemperate and licentious a Manner, that no Man in *England*, I think, can be ſo ſour'd by the Leaven of Party, as to read it with Pleaſure; no Man, certainly, in this Place, can read it without a juſt Indignation. There are ſome Creatures, we find, of ſo peculiar a Make, as to ſuck a rank and deadly Poiſon out of the moſt wholeſome and ſalutary Food: And this ſtrange Writer has drawn a dangerous Scheme and Project of Corruption out of a Deſign moſt apparently tending to our Welfare, and which every impartial Member of our Body moſt gratefully acknowledges, as an undoubted Teſtimony of our Chancellor's great Affection and Regard for us.

There is ſomething of Art and Addreſs to be uſed, even in calumniating, before it can be done with any kind of Succeſs. To daub any one with the untemper'd Mortar of Scandal is a fruitleſs and a fooliſh Attempt, becauſe it will want the neceſſary Property of ſticking. In order therefore to defame with any Effect, ſuch Topics of Defamation

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are uſually ſelected, to which ſome Air or Semblance of Probability can be given. But this wonderful Author neglects the common and received Rules of Calumny: he will needs make a Monſter of Cruelty out of a Character of acknowledg'd Candor, and have *Caligula* fit for His Likeneſs, to whom his worſt Enemies allow an uncommon Share of Humanity. But a Production, ſo utterly void of all Senſe and Shame, has already taken its Place among that Claſs of Writers, to which it properly belongs, and where I would not chuſe to diſturb it.

Let us proceed then to conſider the Nature and Tendency of the Regulations themſelves; and theſe at firſt Sight do not certainly appear to be deſigned for any ſuch Purpoſe, as to be thought *Projects to promote the baſe Intereſt* of any one. It is not indeed eaſy to ſee, how ſuch a Purpoſe can be anſwered by them. Their obvious and apparent Tendency is to forward the deſirable Ends of our Inſtitution, by enlarging, explaining, and giving Vigour to old Laws, or providing new ones to correct ſuch Faults in the younger Part of the Univerſity, the Prevalence

valence of which might not be foreſeen, and ſo could not be provided againſt.

AGAINST theſe Faults ſeveral of the Regulations were pointed, as may eaſily be perceived by having Recourſe to the Regulations themſelves. Such are frequenting Places of public Diverſion or Entertainment at unſeaſonable Hours; the contracting Debts at ſome of thoſe Places, without the Knowledge of their Tutor, which they may afterwards be laid under Difficulties to diſcharge; a too free Uſe of expenſive Exerciſes, apt to be deſtructive of much Time, and unavoidably of much Money; a Neglect in attending the public Sermons preached before us as a Body; the keeping Horſes or Servants in Livery, when they are not wanted or allowed by their Friends; an Extravagance and kind of Wantonneſs in Dreſs, not commendable in any Place, and very unſuitable to the Rules and Decency, that ought to be obſerved in this.

BUT there are ſome, I am told, whoſe Sentiments are not favourable to the Appointment of ſuch local Statutes as we are ſubject to; who think it a ſervile Thing

to be held under the Bonds of ſuch a Government; that to fetter Youth with ſuch Rules, *homines adoleſcentulos eductos liberè*, as it is not the moſt ingenuous Method of Treatment, ſo neither is it the moſt effectual Means of Reſtraint; and that ſuch Deviations, as they may happen to make from their Duty, may be beſt corrected by prudent Advice, or the occaſional Exertions of their Tutor's Authority. This Principle, as it is as much againſt the Propriety of our old Laws, as our new ones, I am not concerned to meddle with. It ſomewhat differs from the general Senſe and Apprehenſions of Mankind on this Subject; but from what Motives it proceeds, or with what Views it is taken up, I do not pretend to ſay.

THE preſumptive Arguments, as far as they will go, ſeem to me to be much in Favour of the Regulations; as they are ſaid to have been chiefly drawn up by Perſons, whoſe Duty obliges them to conſider, and whoſe Station, in ſome Degree, enables them to judge, what may beſt conduce to the good Order and real Intereſts of the Univerſity; as they were reviſed and improved by others of confeſſed Abilities and Experience

rience in Buſineſs, and of well known Regard and Affection for us. I would neither practiſe myſelf, nor juſtify in others, a blind Deference to the Judgment, or an implicit Submiſſion to the Authority of great Names. But that * *Perſons of the firſt Character in the Nation* ſhould conſider and approve of a Sett of Regulations, and think them proper for our Uſe, not *one of* which ſhould have the good Fortune to be approv'd by theſe Gentlemen, is, I confeſs, very ſtrange and extraordinary, if the *intrinſic Nature and Quality* of the Regulations themſelves were only attended to.

But it ſeems to be a Point much labour'd, to ſhew, that the Conduct of thoſe, who oppoſed the Regulations, is very conſiſtent with the Regard they profeſs for him, by whom they came recommended. No one would be better pleaſed than myſelf to ſee this Matter clearly and fully made out; becauſe he, of whoſe Affection for the Univerſity we have the beſt and *ſtrongeſt Aſſurance*, has, I think, an undoubted Right to expect from us a ſuitable Return of Duty and Affection.

* Acad. p. 29.

But I confeſs I do not ſee, how a zealous Endeavour to reject every Order he was pleaſed to propoſe, is eaſy to be reconciled with the Profeſſion *of their always approving of every Part of their Chancellor's Conduct in this Affair.** I cannot well underſtand how the offenſive Manner, in which this was done, and the indecent Exultation, with which the Succeſs in ſome Inſtances was attended, is perfectly agreeable *to the moſt grateful Sentiments they had of the Obligations they were under to him.* Their Method of Defence appears to me, indeed, a very droll one, and which I can hardly ſuppoſe them to be ſerious in making; they ſeem to claim ſome Right to his Favour, by complying ſo punctually with the Terms of his own Letter, † *in not having their Judgments influenced by conſidering from whom the Regulations came*; and *look upon it as unaccountable, that they ſhould be accuſed of Diſregard to him,* becauſe *they choſe to be guided by him, and to follow his Advice, viz.* in examining freely the Nature of theſe Regulations, and, in Conſequence of that, paſſing an impartial

* Acad. p. 23. † Acad. p. 51.

Sentence

Sentence of Reprobation upon every Article of them: *ex amore hi admodum quam ſævi ſunt.* This odd Strain of Duty and Compliance, this uncommon Way of expreſſing their Gratitude and *Inclination to oblige*, puts me in Mind of much the ſame Sort of Behaviour, which ſome Subjects about a Century ago uſed towards their Prince, who yet generally, and I think juſtly are allowed *to have their Names in the Liſt of the Diſaffected*, though they took up Arms againſt him *in his own Name*, and made War upon him by *his own Authority*.

The Grace, which one of the Demagogues carried up, that the Chancellor ſhould be thanked by the Senate, for the affectionate Regard he had ſhewn for the Univerſity, did not expreſs, as far as I am able to judge, that Inſtance of his Regard, which he had ſhewn them on this Occaſion. Now as the Intention of his Letter was to recommend the Regulations he had ſent us, a proper Anſwer to that Letter muſt, I think, require on our Part a particular Acknowledgment for this Token of his great Benevolence and Attention to our Welfare; and as the Grace is ſuppoſed to contain a general

general Sketch of the Manner, in which the Orator is to expreſs our Acknowledgments, he would not in my Judgment have been directed by the Grace we are referred to, and which now lies before me, to acknowledge this particular Mark of our Chancellor's Kindneſs to us; which yet was highly proper to be done, and for which a different Grace was propoſed, and paſſed by the Senate.

Two of the Regulations have been ſingled out by a late Writer, not indeed with any ſerious Purpoſe of examining their Propriety, but as Subjects, on which he could beſt exerciſe his Wit and Eloquence, or diſplay to the moſt Advantage his own Talent at Ridicule. * *How ſhall we reconcile it to common Senſe*, it is ſaid, *that they, who are prohibited from wearing Lace upon one Part of their Dreſs, ſhould be compell'd to wear it upon another?* But how partial and unfair is the Meaning, conveyed by this ſhrewd Queſtion; as if the Prohibition and Injunction belonged to the ſame Law? whereas it is well known, that Lace on Cloaths is a late

* Acad. p. 35.

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and expenſive Innovation; and on that Account proper to be forbid. The other Article ſtands, as it did, on the Footing of long Appointment and immemorial Uſe. By leſſening indeed the ornamental Part of the Gown, the Charge has been above one third Part reduced; and I could wiſh it was reduced farther; for as it's chief Uſe is to diſtinguiſh thoſe of a particular Rank and Order from others, I ſee not, why this Mark of Diſtinction might not be contrived in the moſt commodious and leaſt expenſive Manner.

I AM ſenſible how open to Banter from a lively Fancy too great a Scupuloſity and Niceneſs in the Affair of Dreſs may be: I acknowledge it is not a Conſideration of the greateſt Importance; but yet I think not altogether below our Notice. An utter Diſregard of this Matter will hurt us at leaſt with ſuperficial Obſervers, who are not a few; and will lay ſuch under Prejudices againſt our Regularity, who having perhaps no Opportunity of forming a better Judgment, will be apt to judge from Externals only. Indeed I can ſee no Reaſon, why a Decency and Conformity of Habit, which

are required in moſt other Societies, ſhould not be required in ours. There are many Things, in which the Wrongneſs plainly appears, when carried to any great Exceſs; in which notwithſtanding it may be difficult to aſcertain the preciſe Boundaries of Right and Wrong. This I ſuppoſe is judged by moſt to be an improper Place for Genius's in Dreſs to ſtrike bold Strokes in, and to affect, like great Maſters in other Sciences, ſomething peculiar, and a Manner of their own. What is therefore fantaſtical and extravagant, is by theſe Orders forbid, and the public Officers of the Univerſity are appointed to judge what is ſo.

The Regulation, which relates to Exerciſe on Horſeback and in Chaiſes, was certainly not intended to tie down the ſedentary Student to the Detriment of his Health, but to confine the too frequent and needleſs Excurſions of the wandring one; to keep *him* within proper Bounds, not lay the other under an unreaſonable Reſtraint. And to what a blameable Exceſs this Matter was carried, is well known to all, who were upon the Spot: Every one ſaw it, every one condemn'd it. Was it not then high

high Time to give ſome Check to the Wantonneſs and Extravagance of this Practice; and though a due Uſe of it might ſtill be allow'd, to correct, as far as could be done, ſuch an Abuſe of it, as every prudent Man complained of. How far the Notion of Liberty in this Reſpect was carried, ſeems to appear from hence, that it *could hardly be expected* ſome would *brook ſo conſiderable a Diminution of it:* And yet it may look a little ſtrange, that any Pupil, even of ſome ſtanding, ſhould unwillingly *ſubmit to beg from the Courteſy of his Tutor* the Favour of going *out of Town*, when the public Statutes of the Univerſity, when theprivate Statutes of ſome Colleges I know, and ſeveral I am told of, require all of them to have the expreſs Conſent of their Tutor, before they be permitted to go even *into the Town.*

BUT the Manner of framing and conducting theſe Regulations is ſaid to be liable to great Exception. Such were not adviſed with on this Occaſion, as had a Right to be aſked and to give their Advice; for all thoſe, whoſe Conſent was neceſſary to make them Laws, might reaſonably expect to be con-

ſulted about the Expediency of making them ſuch.

PART of the Offence, that was taken, might, I think, probably have been prevented, if the ſeveral Parts of the Univerſity had had an Opportunity and a Diſpoſition to have communicated their Sentiments to each other on this Subject, with more Freedom and Openneſs than they did. Yet it is well known, and will, I ſuppoſe, be readily allowed, that through the very different Tempers, Judgments, Intereſts, Prejudices, and Connections of Men, ſcarce Buſineſs of any kind, much leſs that, which is Matter of Prudence and Diſcretion, can be tranſacted by great Numbers. However by a freer Intercourſe of Counſels about this Affair, as far as it might be found practicable, the Minds of ſome, I think, would have been better reconciled to the Regulations, that were propoſed; though there is Reaſon to apprehend, that many would have been againſt every Thing of this Sort, that could have been propoſed.

BUT more Perſons were really apply'd to for their Advice on this Occaſion, than many

many either believe themſelves, or would have believed by others. That ſome Orders were under Conſideration, was commonly known, and the Subſtance of them publickly talked of, ſome Months before they were laid in a regular Way before the Univerſity. Many Members of the Body, of confeſs'd Judgment and Experience, were invited to communicate their Thoughts; many did communicate them, none were diſcouraged from doing ſo. In Conſequence of this, ſeveral Articles were altered, to accommodate them, as well as might be, to the general Senſe and Judgment of the Senate: one or two were added by Members of the Senate, and as many omitted by their Direction and Advice.

If then ſome particular Perſons are angry, and think they *do well to be angry*, that they were not expreſly applyed to and conſulted on this Occaſion; will not all the reſt, whoſe Sentiments were not taken, have the ſame Reaſon for Complaint? Yet it was abſolutely impracticable, that the Judgment of all could be taken in any other Way than it really was taken, by laying the Regulations *before*, and leaving them *with* the Se-

nate for ſuch a Time, as might be ſufficient for their full and mature Deliberation.

BUT as it has been found by Experience among all large Societies, that Buſineſs can no other Way be tranſacted, than by deputing a leſſer Number to act in the Name and with the Authority of the whole; it has been ſuggeſted, that a Syndicate from among the reſiding Members might have been appointed, to conſider of and draw up ſuch a Set of Regulations, as ſhould appear to them to be needful.

BUT this ſure is a Meaſure very unlikely to have taken Effect, and from whence there could hardly have been expected the leaſt Probability of Succeſs. Is it to be imagined, that the Gentlemen, who oppoſed thoſe, which were drawn up by very capable Judges, and reviſed and improved by others of confeſſed Judgment and Experience, would be inclined to come into a Collection of ſuch, as were made by ten or twelve Members of the Senate, all of them their Equals, and who, according to the uſual Courſe of our Proceedings, ſhould be recommended by the Vice-Chancellor? Or

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is it likely, that theſe ten ſhould draw up a Number of Regulations, which would better deſerve their Approbation, or be more fitted to correct the Diſorders we complain of? Exceptions may be taken at this or that Method of doing this, or at the Perſons concerned in doing it; but there is great Room to ſuppoſe, that the Gentlemen had ſome other Reaſon or Ground of Diſlike, among whom the Spirit of Oppoſition exerted itſelf ſo remarkably, as to be even againſt the Grace for diſpoſing of the pecuniary Mulcts, that might ariſe from the Violation of ſuch Laws, as had been already enacted.

But ſuch Perſons, 'tis ſaid, were not conſulted about this Affair, who were by their Situation moſt qualified to form a true Judgment, and to give proper Counſel about the Fitneſs or Propriety of ſuch a Meaſure. *The Sentiments of Tutors and Deans of Colleges were not taken, whoſe intimate Connection with the young Students makes them the beſt Judges of thoſe Facts, on which ſuch kind of Regulations ought to proceed.**

* Acad. p. 30.

The Opinion of theſe Gentlemen, who by their Station muſt be preſumed to be very capable of giving a judicious one, was, I confeſs, proper to be aſked on this Occaſion: And I always underſtood, that the Opinion of ſeveral Tutors, and of ſome very eminent ones, was aſked; and that many Alterations were made in Conſequence of the Advice they gave. It is certain, that they muſt be more thoroughly acquainted with the true Characters of ſuch, as are intruſted to their Care, and more immediately ſubject to their Inſpection. But others, it muſt be allowed, can alſo judge of the Propriety of correcting ſuch Irregularities, as fall within the Reach of their own Obſervation. And if the Tutors and Deans, by the Help of this nearer Connection, know more of theſe Facts, as they probably may; I ſhould think, that, on this Account, they muſt ſee the greater Neceſſity and Fitneſs of making ſome Regulations of this kind; becauſe others, who cannot be ſo exact in their Notice, and ſo well informed of theſe Matters, yet ſee and know enough of them to be fully ſatisfy'd, that ſome Regulations are neceſſary.

MAY not theſe *intimate Connections*, which the Tutors have with the young Students, ſometimes tempt them to excuſe or extenuate ſuch Offences, as they may happen to be guilty of, againſt the Laws and Diſcipline of the Univerſity? May they not diſpoſe them to ward off Part of that Puniſhment on ſome Occaſions, which a due Regard to it's common Welfare may require to be inflicted? May not this Diſpoſition be ſtronger, if they have ſome Degree of Friendſhip and Acquaintance with the Families, to which they belong? And ſtronger ſtill, if they have Connections of Intereſt with, or Expectation of Service from thoſe Families? I ſpeak not this at Random, or from Suſpicion only: I am much miſtaken in my Obſervations, if I have not ſeen this ſometimes done: And I mention it here to ſhew, that ſuch, who are entirely free from theſe private Connections, and have nothing, as far as appears, to determine their public Conduct, but their Regard to the Credit and flouriſhing State of the Univerſity in general, may on theſe Accounts be qualified to judge full as impartially what Laws

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are wanted to ſecure in the moſt effectual Manner theſe deſirable Ends, and to decide as equitably on the Puniſhment, that may be proper for any particular Breach or Violation of theſe Laws.

But have we not Statutes already to ſecure the good Order and Diſcipline of the Univerſity? And would not theſe Ends be ſufficiently anſwered by a diligent and vigorous Execution of theſe Statutes? —— It is readily granted, there are ſuch Laws in being; but is it not prudent to give them all the Strength and Validity we can, and to engage an Attention to them in the moſt effectual Manner? May not a long Courſe of Time make ſome farther Enforcement of theſe Laws neceſſary, or give Room for a clearer Explication of their Meaning? May not a Change of Cuſtoms, Faſhions, and Ways of living, make ſome Alterations in them proper; and are not ſuch Alterations frequently made under the beſt conſtituted Government? Among all the Regulations lately paſſed I know not of *one*, (and as all of them have been frequently ſaid to be ſuch, it can ſurely be no difficult Matter to produce *one*,) that is merely a Republication of the

the old Statutes. Let them be compared: By ſuch a Compariſon this Fact may be eaſily ſettled; but it can never be ſettled in a ſatisfactory Manner by Flouriſh and Declamation. All ſuch, as are taken from our old Laws, have received, I think, ſome Improvements in ſuch a Way, as other Laws are uſually improv'd, by being either enlarged, or explained, or ſtrengthened by additional Sanctions.

But a great Part of the Regulations do not relate to Immoralities of a groſſer Kind, but to Indiſcretions and Failings of a leſs heinous Nature; ſuch as an unneceſſary Waſte of Time and Money in Horſes, Servants, and Chaiſes; or too cloſe an Attendance on the Amuſements of Cricket, Coffee-Houſes, and Tennis-Courts. Many of theſe are the Growth of later Times, and which are not therefore, and could not be provided againſt by the old Statutes. But it will not, I hope, be thought below the Notice of a liberal and well regulated Society, like ours, to correct, as far as we can, theſe Irregularities; as all of them tend, in a greater or leſſer Degree, to hurt its Uſefulneſs, and defeat ſome of the principal

Ends of its Appointment. By adding then particular and explicit Laws againſt theſe faſhionable and prevailing Vices, and by ſo adjuſting the Puniſhment to the Offence, that it may be likely to hinder their Prevalence for the future, we ſhould ſeem to give the beſt Proof in our Power, that we are diſpoſed and deſirous of making this Place as uſeful as we can to the Purpoſes, for which it was intended, of an ingenuous and learned Education.

But if ſome ſlight Advantages, in Point of Regularity, were to be obtained by theſe new Orders, was the obtaining them a Matter of ſufficient Conſequence *to embroil a whole Univerſity about?* ——

The Advantages, that may with great Reaſon be expected from paſſing and executing theſe Orders, are real and ſubſtantial ones: The Embroilment was not an Effect, that could be foreſeen, as it did not naturally proceed from any apparent Cauſe. It was not ſuppoſed, it could not reaſonably be ſuppoſed, that a few Regulations, viſibly calculated to reſtrain Extravagance, to prevent Idleneſs, and to promote good Morals

in

in the Univerſity, could meet with an Oppoſer, much leſs ſtir up a fierce and an angry Oppoſition.

It was therefore not doubted, it is, I think, confeſſed by moſt of the Oppoſers, that there would have been a great Majority, if not a general Concurrence in their Favour, had not an Accident, as they affect to call it, happened to prevent it. At the Time they were ſubmitted to the Judgment of the Senate, an Exception was made to the Manner, in which ſome of them were to be executed. Our Conſtitution, it was ſaid, was in Danger of being alter'd; as a Power would, hereby, be veſted in the Vice-Chancellor and Heads, which it was doubtful, whether they had a Right to exerciſe, that of determining finally, and without Appeal, in Caſes of Diſcipline. This was ſoon work'd up into a grand and fundamental Objection; and this critical Occaſion was taken of inſiſting, that a Power, that had ſo long been the Subject of Diſpute, ſhould now be given up, and an Appeal in all ſuch Sentences lie to the Body of the Univerſity. This ſudden Propoſition was not immediately comply'd with; as it was doubted, whether a Point of *ſome* Con-

ſequence, allow'd to be of a *dubious* Nature, and that had been Matter of Debate for near two hundred Years, could properly be determined within a few Minutes; eſpecially as it related to the Authority of our Chancellor, who was abſent, who had never been conſulted, and who might reaſonably expect to be conſulted, before ſuch a Step was taken.

However a Clamour was raiſed about bad Deſigns, and Claims of unſtatutable Power. Many, who were well diſpoſed to the Regulations, fell in with this Clamor; and a Deſign was hereupon form'd of rejecting ſuch, wherein the Penalty was to be inflicted by the Vice-Chancellor and Heads. To obviate this Deſign, it was propoſed, that nothing ſhould be ſaid about the Manner of executing them, but the Matter left entirely upon the Footing of the Statutes and the Conſtitution. Ought not this to have ſatisfy'd ſuch, who were ſo zealous for maintaining, who were under ſuch Apprehenſions and Fears about altering the Conſtitution? Did this Propoſal ſatisfy them? Did the Complaint ceaſe, when the Ground of the Complaint was offered to be

removed

removed? I think not. The ſame Outcry was ſtill thought proper to be continued, till it had done its Part, and executed the Taſk, that was aſſigned it: Till ſeveral, and ſome of the moſt uſeful Regulations were rejected, without ever entering at all into the Conſideration *of their intrinſic Nature and Quality.*

And what could an impartial Perſon think upon obſerving the whole Train of theſe Proceedings? Was it not evident, (with how good a Grace this could be done, and how conſiſtently with themſelves, I leave others to judge;) that the very Perſons, who were ſo loud againſt extending Power, and graſping unconſtitutional Authority, were plainly endeavouring to extend, and openly own, that nothing leſs would content them, than an actual Extenſion of their own. For what elſe was meant, or could be meant, by their inſiſting on having a dubious and controverted Point of Authority ſettled in their own Favour, before they would enter into ſuch amicable Meaſures, as to conſider the Uſefulneſs and Propriety of what was laid before them for their Conſideration? ——

THIS therefore was the Reaſon, and in my Opinion a very proper and equitable Reaſon it was, why ſome of the Regulations were again propoſed to the Senate; becauſe the Nature and Tendency of the Regulations themſelves had not been before the Ground of their Diſſent, or indeed the Subject of their Examination. The Manner, in which they were to be executed, was the dead Weight, that hung about them, and ſunk them.

THIS is acknowledged by moſt of the Oppoſers, and would have ſufficiently appeared by the Choice and Diſtinction they made, had it not been acknowledged. The Attention of the Houſe had, ſome Way or other, been diverted from the proper Object of their Conſideration to an incidental Point, and *Leviathan* amuſed by that Tub, which ſome Steerſman in the Oppoſition had thrown out to him.

IT was judged neceſſary, therefore, to put a ſtop, as ſoon as might be, to the Alarm, that had been taken, or was pretended to be taken, as if the Vice-Chancellor and Heads were

were covertly aiming to ſettle a diſputed Point of Authority, and to veſt a Power in themſelves, which had hitherto been conteſted, of paſſing Sentence in Cauſes of Correction, from which there ſhould be no Reſource or Remedy within our own Body. A Suſpicion of this kind had with great Art and Induſtry been infuſed, and a Uſe had been made of it equally diſcreditable to them, and diſſerviceable to the good Cauſe, they were endeavouring to ſupport. A previous Grace was therefore offered, that nothing ſhould be altered, with Regard to the Right of Appeal, but that it ſhould ſtand on the ſame Footing, as it did before. And this Meaſure, there is Reaſon to think, had a good Effect in removing ill Impreſſions, that had been made on the Minds of ſeveral worthy and impartial Perſons, and in bringing them to more favourable Sentiments about this whole Matter. However, among many the ſame Spirit ſtill prevail'd; the ſame Heat and ill Humour was ſtill kept up, and the Jealouſy ſubſiſted, when the Occaſion of the Jealouſy was taken away. Whence I think it was ſufficiently plain, that the Appeal was not with many the real Ground of their Oppoſition, but a plauſible Cover,

under

under which Deſigns of another Nature might more ſucceſsfully be carried on; that it was taken up as a popular Subject, that would probably be of Uſe in working up the Paſſions of the more haſty and violent, in giving ſome Alarm to the Friends of true Liberty, or in drawing off their Attention from the principal Point. And it muſt be confeſſed, that it did in a great Degree anſwer theſe ſeveral Purpoſes.

But that the Senſe of the Univerſity, upon the real Merits of the Cauſe, was more fairly and impartially taken the ſecond Time the Regulations were propoſed to the Senate than the firſt, will be manifeſt, if theſe particulars can be made good, as I think they may by undeniable Evidence — That a greater Number of Perſons, commonly reſident in the Univerſity, were preſent at the ſecond Propoſal than at the firſt. — That every Queſtion was then carried by a conſiderable Majority; whereas they had been rejected by a very ſmall one: And that this Majority was chiefly owing to ſuch, as having had time to recover from that Warmth of Temper, which a Diſpute about Rights and Privileges had raiſed, and ſeldom

fails

fails to raiſe, had taken the whole Affair into full and ſerious Deliberation, and then gave their Voice in Favour of the Regulations.

THE defamatory and ſcandalous Aſperſions, which have been thrown upon many Gentlemen for the Part they acted on this Occaſion, and that Change of Sentiments, which appears to have been the Effect of cool and mature Conſideration, will give, I am perſwaded, no Stain or Pollution to the Characters, on which they are thrown. They are rather like the Water of Separation, which might ſerve to make others clean, but defiled the Hand that ſprinkled it.

THAT no Prejudices might remain in Men's Minds in behalf of the Regulations, (as there will always be a Party *ſo much under the Influence of their own Imaginations* * as to be prepoſſeſſed in Favour of ſuch Things, eſpecially in an Age of Freedom like this) Reports have alſo been thrown out, but chiefly by the dexterous Ways of Inſinuation and Whiſper, that though theſe Regu-

* Acad. p. 33.

lations are now become Laws, yet they never will be, and probably never were intended to be executed. As this Suſpicion is a little too harſh to meet with an eaſy and general Reception, without ſome ſort of Proof to ſupport it, we are referred to a public and well known Fact. The Order, *which enjoins Perſons in ſtatu Pupillari to attend St.* Mary's *Church**, has been entirely neglected. But how imperfect an Account muſt this Writer have had, if he did not know; how unfair an Account does he give, if he did know, that this Order could not hitherto be carried into Execution? that before it can be executed, the Conſent of certain Truſtees is required to make a proper Diſpoſition of Seats in the Galleries, and a convenient Allotment of Places for the ſeveral Colleges. Some Steps have been taken to do this, and I make no doubt of its being done. The Delay may be owing to Reaſons, which the Public, perhaps, have no Right to know: But if any unneceſſary Delay has been made in this Matter, let the Blame fall where it ought; it will not fall on them, who cannot act in this Affair without proper Authority.

* Acad. p. 44.

BUT, in the mean while, how ingenuous it is in this faithful and impartial Retailer of other Men's Sentiments, to ſay, or to make others ſay, that this Order *has been conſtantly broken in the Preſence of the Vice-Chancellor, the Heads of Houſes, and other Officers, and yet no Penalty inflicted on the Offenders?*

WITH Regard to all the other Regulations, there appears to be in many a proper Warmth and Earneſtneſs, and I doubt not but that there will be a vigorous Endeavour in all Parties, to carry them into Execution. Thoſe, who ſhewed a Zeal and Activity to eſtabliſh them, are, as they certainly ought to be, zealous and active to enforce them: And many, who did not act in their Favour, do yet ſee the great Fitneſs and the Expediency of putting them in Force, as they are now become Part of the Laws, by which we are to be govern'd. Thoſe, who fill ſome of the public and moſt important Offices among us, have ſhewn great Faithfulneſs, Vigilance, and Spirit in the Diſcharge of their Duty; and there is

* Acad. p. 44.

great Reaſon to hope, that all the ſuperior Members of the Univerſity will, each in his proper Rank and Place, diligently concur in ſupporting theſe new Laws by their Example, as well as Authority.

THE Influence, they have already had, is, in my Judgment, and the Opinion of all I have converſed with, a very conſiderable one; enough to encourage our Induſtry and animate our Reſolution in proceeding; by which we may juſtly expect them to have much more extenſive and general good Effects; ſuch as cannot fail to be of ſubſtantial Advantage and Credit to ourſelves; of ſignal Uſe and Benefit to the Public; and that will reflect ſome Degree of Honour on that illuſtrious Name, of whoſe Favour and Protection we have the moſt dutiful Senſe, whoſe great Kindneſs and Prudence we gratefully acknowledge, in paying ſuch an Attention to the forming them, and in recommending them to us, as a Proof of his ſincere Reſolutions to do real and effectual Service to the Univerſity.

FINIS.